

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

DIRECTV, INC.,	:	
	:	
Plaintiff,	:	CASE NO. C-3-03-426
	:	
v.	:	
	:	
MICHAEL MITCHELL,	:	JUDGE ROSE
	:	
	:	
Defendant.	:	

**STIPULATION AND ORDER
OF DISMISSAL OF DEFENDANT MICHAEL MITCHELL**

Plaintiff DIRECTV, Inc., and Michael Mitchell (the “Defendant”) stipulate and agree to the dismissal of all claims against the Defendant with prejudice. This dismissal is subject to the terms and conditions set forth in paragraph 3 of the Settlement Agreement and Release entered into between DIRECTV and defendant Mitchell. The Court shall retain jurisdiction to resolve disputes concerning the parties’ settlement agreement, see Kokkonen v. Guardian Life Ins. Co., 511 U.S. 375 (1994). The parties shall bear their own attorneys’ fees and costs.

Respectfully submitted,

/s/ David A. Wallace
David A. Wallace (0031356)
Carpenter & Lipps LL
280 Plaza, Suite 1300
280 North High Street
Columbus, Ohio 43215
(614) 365-4100 (Telephone)
(614) 365-9145 (Facsimile)
wallace@carpenterlipps.com

Attorney for Plaintiff DIRECTV, Inc.

/s/ Patrick K. Smith*
Patrick K. Smith (0011208)
120 W. Second Street
13th Floor, Liberty Tower
Dayton, Ohio 45402
(937) 222-6926 (Telephone)
(937) 222-6901 (Facsimile)
PKSlaw@ameritech.net

Attorney for Defendant
Michael Mitchell
*Per original document

The captioned cause is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

IT IS SO ORDERED.

DATED: July 18, 2005.

s/Thomas M. Rose

The Honorable Thomas M. Rose United
States District Judge

419.225.172898